

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FEB - 7 2006

2006 FEB 24 PM 4:37

DOCKET NO. 105  
LORETTA G. WHYTE  
CLERK

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CLERK'S OFFICE

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-40)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 3,008 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

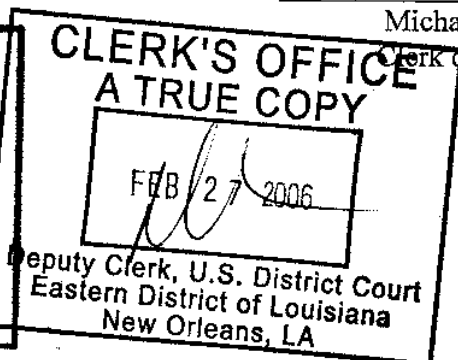
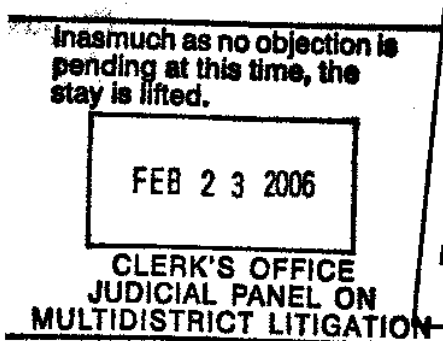
Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel



Fee \_\_\_\_\_  
Process \_\_\_\_\_  
X Dktd TOL  
CtRmDep \_\_\_\_\_  
Doc. No. 3498

**SCHEDULE CTO-40 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>SEC. L/3</u>
<b>ALASKA</b>		
<del>AK 3 06-18</del>	<del>State of Alaska v. Merck &amp; Co., Inc. Opposed 2/22/06</del>	
<b>ARKANSAS EASTERN</b>		
ARE 4 05-1932	Ola Rollans v. Merck & Co., Inc.	06-0956
ARE 4 05-1937	Patricia A. Bailey v. Merck & Co., Inc.	06-0957
<b>ARKANSAS WESTERN</b>		
ARW 5 06-5008	Suann Richardson v. Merck & Co., Inc.	06-0958
<b>CALIFORNIA EASTERN</b>		
<del>CAE 2 05-2609</del>	<del>Boyd Cole, et al. v. Merck &amp; Co., Inc., et al. Opposed 2/22/06</del>	
<del>CAE 2 06-62</del>	<del>Jill Desart v. Merck &amp; Co., Inc., et al. Opposed 2/22/06</del>	
<b>CALIFORNIA NORTHERN</b>		
CAN 3 05-5279	Michael Finch v. Merck & Co., Inc., et al.	06-0959
CAN 3 05-5300	Dorothy Gaffney v. Merck & Co., Inc., et al.	06-0960
<b>FLORIDA MIDDLE</b>		
FLM 3 06-1	Barbara Auman v. Merck & Co., Inc., et al.	06-0961
FLM 5 06-19	Jacqueline Anderson v. Merck & Co., Inc., et al.	06-0962
FLM 6 05-1930	Maureen Perricone v. Merck & Co., Inc.	06-0963
FLM 8 05-2032	Tami Disanto, etc. v. Merck & Co., Inc., et al.	06-0964
FLM 8 05-2338	Robert Graham v. Merck & Co., Inc., et al.	06-0965
FLM 8 05-2352	Ronald D. Robinson, et al. v. Merck & Co., Inc.	06-0966
FLM 8 06-1	Louis Leo v. Merck & Co., Inc., et al.	06-0967
FLM 8 06-2	Ruth Zier v. Merck & Co., Inc., et al.	06-0968
FLM 8 06-3	Arnold Ferrante v. Merck & Co., Inc., et al.	06-0969
FLM 8 06-24	Kathleen Risoldi, etc. v. Merck & Co., Inc.	06-0970
FLM 8 06-45	George Malmberg v. Merck & Co., Inc., et al.	06-0971
FLM 8 06-113	Francis Gordon Harper, Sr. v. Merck & Co., Inc.	06-0972
<b>FLORIDA SOUTHERN</b>		
FLS 1 05-23366	Eleanor R. Stone v. Merck & Co., Inc.	06-0973
FLS 1 06-20035	Tania Sardinas v. Merck & Co., Inc.	06-0974
FLS 2 06-14010	Cloyd Pierce v. Merck & Co., Inc., et al.	06-0975
<b>GEORGIA MIDDLE</b>		
GAM 5 05-473	Marvin McCool, et al. v. Merck & Co., Inc.	06-0976
<b>GEORGIA NORTHERN</b>		
GAN 1 05-3264	Gloria D. Cole v. Merck & Co., Inc.	06-0977
<b>ILLINOIS NORTHERN</b>		
ILN 1 05-7028	Nils Cederberg, etc. v. Merck & Co., Inc.	06-0978
ILN 1 05-7152	Wendy Rubin, etc. v. Merck & Co., Inc.	06-0979

## SCHEDULE CTO-40 TAG-ALONG ACTIONS (MDL-1657)

PAGE 2 of 4

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
<b>ILLINOIS SOUTHERN</b>		
ILS 3 05-657	Renee Wamsley v. Merck & Co., Inc.	06-0980
ILS 3 06-12	Janet Rothwell v. Merck & Co., Inc.	06-0981
<del>ILS 3 06-18</del>	<del>Sally Vollintine v. Merck &amp; Co., Inc., et al. Opposed 2/21/06</del>	
ILS 3 06-42	Rosemary Conway v. Merck & Co., Inc.	06-0982
<b>INDIANA NORTHERN</b>		
INN 2 06-6	Robert Kreteviski, et al. v. Merck & Co., Inc.	06-0983
<b>INDIANA SOUTHERN</b>		
INS 1 06-86	Jacqueline Bork, et al. v. Merck & Co., Inc.	06-0984
<b>KANSAS</b>		
KS 2 06-2014	Phyllis Joan Ludwick v. Merck & Co., Inc.	06-0985
KS 6 06-1003	Dennis Cozad v. Merck & Co., Inc.	06-0986
KS 6 06-1014	Darlene Fae Barrett, etc. v. Merck & Co., Inc.	06-0987
<b>LOUISIANA WESTERN</b>		
LAW 2 05-1908	Herbert Fuselier, et al. v. Merck & Co., Inc.	06-0988
LAW 2 05-1909	Nolan Gallo, et al. v. Merck & Co., Inc.	06-0989
LAW 2 05-2101	Dottie Link v. Merck & Co., Inc.	06-0990
LAW 2 05-2102	Abraham Janice, Jr. v. Merck & Co., Inc.	06-0991
<b>MASSACHUSETTS</b>		
MA 1 06-10068	June Cranston v. Merck & Co., Inc.	06-0992
<b>MARYLAND</b>		
MD 1 06-16	Josephine Riiter v. Merck & Co., Inc.	06-0993
MD 1 06-111	James M. Grant, et al. v. Merck & Co., Inc.	06-0994
MD 1 06-112	Katherine H. David v. Merck & Co., Inc.	06-0995
<b>MINNESOTA</b>		
MN 0 05-2980	Todd Clochie v. Merck & Co., Inc.	06-0996
MN 0 05-2981	Marco Magana, et al. v. Merck & Co., Inc.	06-0997
MN 0 05-2984	Jenny Minton v. Merck & Co., Inc.	06-0998
MN 0 06-152	Lumen Tolentino v. Merck & Co., Inc.	06-0999
MN 0 06-153	Glenn Wentworth, et al. v. Merck & Co., Inc.	06-1000
MN 0 06-189	Earlie M. Walker v. Merck & Co., Inc.	06-1001
MN 0 06-192	Daniel W. Rucker v. Merck & Co., Inc.	06-1002
MN 0 06-219	Charles Vaughn v. Merck & Co., Inc.	06-1003
MN 0 06-270	Rosalie V. Rappa v. Merck & Co., Inc.	06-1004
<b>MISSOURI EASTERN</b>		
<del>MOE 4 05-1740</del>	<del>Diana Larrabee v. Merck &amp; Co., Inc., et al. Opposed 2/21/06</del>	
<b>MISSOURI WESTERN</b>		
MOW 4 05-1291	Phyllis Oates v. Merck & Co., Inc.	06-1005
MOW 4 05-1292	Hiram Bardwell, et al. v. Merck & Co., Inc.	06-1006
<del>MOW 4 06-40</del>	<del>Helen G. Sarle, et al. v. Merck &amp; Co., Inc., et al. Opposed 2/22/06</del>	
<b>NORTH DAKOTA</b>		
ND 3 06-13	Douglas M. Person v. Merck & Co., Inc.	06-1007

## SCHEDULE CTO-40 TAG-ALONG ACTIONS (MDL-1657)

PAGE 3 of 4

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
<b>NEBRASKA</b>		
NE 8 05-571	James L. Thibault v. Merck & Co., Inc.	06-1008
<b>NEW YORK EASTERN</b>		
NYE 1 05-6058	Leonard Saccheri, et al. v. Merck & Co., Inc.	06-1009
NYE 1 05-6060	Eileen Larson v. Merck & Co., Inc.	06-1010
NYE 1 05-6062	Amanda Cespedes v. Merck & Co., Inc.	06-1011
NYE 1 06-125	Vivian Ventrano, et al. v. Merck & Co., Inc.	06-1012
<b>NEW YORK SOUTHERN</b>		
NYS 1 05-10795	Karen McCracken v. Merck & Co., Inc.	06-1013
NYS 1 06-72	Panagiotis Kousoulas v. Merck & Co., Inc.	06-1014
NYS 1 06-73	Robert Santos v. Merck & Co., Inc.	06-1015
NYS 1 06-255	Rebecca Tripp, etc. v. Merck & Co., Inc.	06-1016
NYS 7 05-9806	Wanda Lee Johnson v. Merck & Co., Inc.	06-1017
<b>NEW YORK WESTERN</b>		
<del>NYW 6 05-6740</del>	<del>Kathleen Campbell v. Merck &amp; Co., Inc., et al. Opposed 2/22/06</del>	
NYW 6 05-6741	Betty Alvarado, etc. v. Merck & Co., Inc., et al.	06-1018
<del>NYW 6 06-6030</del>	<del>Giuseppe Scariata, et al. v. Merck &amp; Co., Inc., et al. Opposed 2/22/06</del>	
<del>NYW 6 06-6031</del>	<del>Lynn C. Schiedel, etc. v. Merck &amp; Co., Inc., et al. Opposed 2/22/06</del>	
<del>NYW 6 06-6032</del>	<del>Melanie E. Hofmann, etc. v. Merck &amp; Co., Inc., et al. Opposed 2/22/06</del>	
<del>NYW 6 06-6033</del>	<del>Patricia Johnson, et al. v. Merck &amp; Co., Inc., et al. Opposed 2/22/06</del>	
<b>OHIO NORTHERN</b>		
OHN 1 05-2994	Linda Hyde, et al. v. Merck & Co., Inc.	06-1019
<b>OHIO SOUTHERN</b>		
OHS 1 06-25	Thomas Idinopulos, et al. v. Merck & Co., Inc.	06-1020
<b>OKLAHOMA NORTHERN</b>		
OKN 4 05-588	Wesley T. Vreeland, et al. v. Merck & Co., Inc.	06-1021
<b>OKLAHOMA WESTERN</b>		
OKW 5 06-24	Brittany Buckner, et al. v. Merck & Co., Inc., et al.	06-1022
<b>OREGON</b>		
OR 6 05-6388	Nicholas Judson Rinne v. Merck & Co., Inc.	06-1023
<b>PENNSYLVANIA EASTERN</b>		
PAE 2 05-6670	Frank W. Bridges, etc. v. Merck & Co., Inc., et al.	06-1024
PAE 2 06-127	Charlotte Madison, et al. v. Merck & Co., Inc.	06-1025
<b>PENNSYLVANIA WESTERN</b>		
PAW 2 05-1750	Arlene G. Elias, et al. v. Merck & Co., Inc.	06-1026
<b>SOUTH DAKOTA</b>		
SD 1 06-1002	Larry Person v. Merck & Co., Inc.	06-1027
<b>TENNESSEE EASTERN</b>		
TNE 3 05-537	Alan Clardy v. Merck & Co., Inc.	06-1028
TNE 3 05-582	Jack R. Josey v. Merck & Co., Inc., et al.	06-1029

## SCHEDULE CTO-40 TAG-ALONG ACTIONS (MDL-1657)

PAGE 4 of 4

DIST. DIV. C.A. #CASE CAPTION

## TENNESSEE MIDDLE

TNM 1 05-94	Elizabeth Daniel v. Merck & Co., Inc., et al.	06-1030
TNM 3 05-1062	Buster Jarmen v. Merck & Co., Inc., et al.	06-1031

## TENNESSEE WESTERN

TNW 1 06-1004	Joann Jackson, etc. v. Merck & Co., Inc., et al.	06-1032
TNW 1 06-1005	L.D. Ellis, etc. v. Merck & Co., Inc., et al.	06-1033
TNW 1 06-1015	B.C. Smith v. Merck & Co., Inc., et al.	06-1034
TNW 1 06-1016	Julia Murphy v. Merck & Co., Inc., et al.	06-1035
TNW 1 06-1017	Martha Smith v. Merck & Co., Inc., et al.	06-1036
TNW 1 06-1018	Judge Walker v. Merck & Co., Inc., et al.	06-1037
TNW 1 06-1019	Patricia Newell v. Merck & Co., Inc., et al.	06-1038
TNW 1 06-1020	John Wilson v. Merck & Co., Inc., et al.	06-1039
TNW 1 06-1021	John Staggs v. Merck & Co., Inc., et al.	06-1040

## TEXAS EASTERN

TXE 1 05-862	Vern R. Mueller v. Merck & Co., Inc.	06-1041
TXE 1 05-869	Daisy Knight v. Merck & Co., Inc.	06-1042
TXE 1 06-4	Norma Broussard, et al. v. Merck & Co., Inc., et al.	06-1043
TXE 1 06-5	Esther Hamlin v. Merck & Co., Inc.	06-1044
TXE 2 05-556	Bonnie Donnell, et al. v. Merck & Co., Inc.	06-1045
TXE 2 05-559	J.C. Parks, et al. v. Merck & Co., Inc.	06-1046
TXE 6 05-483	Vity Harris, et al. v. Merck & Co., Inc.	06-1047

## TEXAS NORTHERN

<del>TXN 4 05-743</del>	<del>Dixie Tucker, et al. v. Merck &amp; Co., Inc.</del>	<del>Opposed 2/23/06</del>
<del>TXN 4 05-744</del>	<del>Laura Garrett, et al. v. Merck &amp; Co., Inc.</del>	<del>Opposed 2/23/06</del>

## TEXAS SOUTHERN

TXS 4 05-4367	John Ochoa v. Merck & Co., Inc., et al.	06-1048
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## UTAH

UT 1 06-5	Georgia Kay Clasen v. Merck & Co., Inc.	06-1049
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## WASHINGTON EASTERN

WAE 2 06-17	Cleta Amsden, etc. v. Merck & Co., Inc.	06-1050
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## WASHINGTON WESTERN

WAW 2 05-2107	Ronald Paynter, et al. v. Merck & Co., Inc.	06-1051
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## WISCONSIN EASTERN

WIE 2 06-64	Robert Schmitt, et al. v. Merck & Co., Inc., et al.	06-1052
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